

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11
	:	
ALCOR ENERGY SOLUTIONS, LLC,	:	BK Case No. 18-12839 (CSS)
et al.,	:	
	:	
Debtors.	:	
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	:	
ALCOR ENERGY SOLUTIONS LLC and	:	
BARRY STONEHOUSE,	:	
	:	
Appellants,	:	
	:	
v.	:	C. A. No. 19-597-RGA
	:	BAP No. 19-19
	:	ADV No. 19-50097 (CSS)
ALCOR ENERGY, LLC,	:	
	:	
Appellee.	:	

RECOMMENDATION

At Wilmington this **25th** day of **April, 2019**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted an initial review, which included information from counsel, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process. Although the parties do not agree on the appropriateness of

mediation, from their joint submission it was clear that mediation would be futile.

The parties request that should the court not require mediation, that they have the opportunity to meet and confer regarding a briefing schedule.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. Since this Recommendation is consistent with the parties' request, no objections pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1 are anticipated.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge